

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

NOTICE OF MOTION NO. 673 OF 2005
IN
PIL WRIT PETITION NO. 2797 OF 2005
ALONGWITH
PIL WRIT PETITION NO. 3000 OF 2002

Save Juhu Association & Ors.] ..Petitioners

Versus

The Bombay Municipal Corpn. & Anr.] ..Respondent(s)

Alongwith

Juhu Welfare Association & Ors.] ..Petitioner

Versus

The Collector, Mumbai Suburban]
District & Anr.] ..Respondent(s)

And

Janhit Manch.] ..Applicant.

Mr. Bhagwanji Riyani applicant in person in Notice of Motion No.673 of 2005.

Mr. V.K. Khatu for respondent No.2.

**CORAM: R.M. LODHA &
ANOOP V. MOHTA, JJ.**

DATED: 12TH JANUARY, 2006

P.C. :

. Heard Mr.Bhagwanji Riyani the party in person.
By this application, the applicants Janhit Manch,

through its President Mr. Bhagwanji Riyani prays principally that direction be issued to the Collector, Mumbai Urban to issue necessary permission as prayed for in Annexure-4.

2. The applicant submits that it decided on 20th October, 2005 to organize an event of Juhu Marathon for running race for all age groups on Juhu Beach sometime in January, 2006. According to the applicant, for meeting the expenses of the said event, inclusive of the prizes to be awarded to the winners, it approached the Palm Group Beach Hotels Pvt. Ltd. for the sponsorship and they agreed to donate a sum of Rs.1,50,000/-. The applicant submits that the permission of this Court has become necessary in the light of the order passed by this Court on 28th June, 2004.

3. Having perused the application (Annexure 4) made by the applicant to the Additional Collector on 9th December, 2005, we find that the permission sought by the applicant cannot be granted. Inter alia, the applicant seeks to put up mobile toilets, emergency medical vans and also run escort bicycles/motorbikes at the time of the event. We are afraid this would be in violation of the order passed by this Court on 28th June, 2004. For an event like this, where lakhs of

people of all age groups are likely to participate, putting up of mobile toilets is a must and so also emergency medical vans and escort bicycles/motorbikes. Neither mobile toilets nor emergency vans nor escort bicycles/motorbikes can be permitted to ply or run on the beach.

4. We are, therefore, not inclined to grant the permission. The application is rejected.

Sd/-
[R.M. LODHA, J.]

Sd/-
[ANOOPI V. MOHTA, J.]

[srpasha@hc]